UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED 08 JUN 18 AM 9:35 DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Martin CARRENO-Juarez,** Defendant	Magistrate Docket No. '08 MJ 1876 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **June 16, 2008** within the Southern District of California, defendant, **Martin CARRENO-Juarez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **18th DAY** OF **JUNE, 2008**

Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Martin CARRENO-Juarez

PROBABLE CAUSE STATEMENT

On June 16, 2008, Border Patrol Agent D. Landers was assigned patrol duties in the Campo Border Patrol Station area of responsibility. At approximately 05:00 p.m., Agent Landers responded to a seismic intrusion device located in an area known as "Corte Madera." This area is approximately fifteen miles east of the Tecate, California Port of Entry and ten miles north of the United States/Mexico International Border.

Upon arriving in the area, Agent Landers found fresh footprints for approximately twelve individuals heading north on a trail. Agent Landers followed the footprints until he found twelve individuals including one later identified as the defendant **Martin CARRENO-Juarez**, crouching down in an attempt to conceal themselves. Agent Landers identified himself as a United States Border Patrol Agent and began to question the subjects as to their immigration status. All twelve subjects freely stated that they were citizens and nationals of Mexico without any immigration documents allowing them to enter or remain in the United States legally. At 6:00 p.m., all twelve individuals were arrested and transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **November 02, 2005** through **Nogales, Arizona.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights. The defendant stated that he understood his rights and was willing to answer any questions without a lawyer present. When questioned again as to his citizenship, the defendant freely admitted that he is a citizen and national of Mexico and does not possess the proper documents to enter or remain in the United States legally.